

**Federal Aviation Administration**

**and**

**National Park Service**

**NATIONAL PARKS OVERFLIGHTS ADVISORY GROUP  
(NPOAG)**

**Summary of October 4-5, 2002, NPOAG Meeting**

Federal Register announcement of meeting

The meeting was held at the Best Western Squire Inn, Tusayan, AZ, on October 4-5, 2002. The dates, location, and times of the meeting were announced in the Federal Register on September 10, 2002 (67 FR 57450). (Attachment 1)

Attendance

The NPOAG consists of ten members. Nine of the ten were either present or had substitutes present. See the attached sign-up sheet for names of attendees. (Attachment 2)

Opening and introductory statements

Barry Brayer, FAA co-chair of the NPOAG until December 31, 2002, opened the meeting at 8:10 a.m. Attendees, both the NPOAG and visitors, introduced themselves. Barry presented the agenda for the meeting, which included experiential activities for the Saturday session. It was noted that a quorum was present<sup>1</sup> and the agenda was approved. (The agenda is attachment 3.)

There followed a discussion of the opportunity for non-advisory group visitors to comment on the presentations on the agenda. While most members expressed that comments from the public are valuable, some also expressed that comments should not be allowed to delay the business of the advisory group. Joe Corrao, Helicopter Association International, pointed out that the NPOAG had reached consensus on this issue at its first meeting. That agreement was that some time would be set aside, in the morning and in the afternoon, for comments from the public.

Linda Williams, FAA, gave members a copy of the minutes of the August 2001 meeting and asked for comments. It was agreed that rather than read the minutes verbatim, members may send comments to Linda for incorporation into the minutes.

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<sup>1</sup> Note: There were 3 substitutes for NPOAG members: Steven Bosak for Boyd Evison; Hope Sieck for Charles Maynard; and Heidi Williams for Andy Cebula. New members added since the last meeting were Alan Steven, Grand Canyon Airlines; Sue Gunn, the Wilderness Society; and Richard Deertrack, Taos and Pueblo Tribes. Germaine White was absent.

Barry Brayer presented the Chairman's Report, which briefly described other enabling documents for the ATMP process and noted that the process is essentially ready to begin operations. The draft advisory circular is attachment 4.

Marv Jensen, NPS, gave the Vice Chairman's report. Marv noted that Boyd Evison, former Park Superintendent and member of the original NPOWG, is very ill and not expected to return to the NPOAG. The group observed a moment of silence in memory of Boyd. (Later, Marv announced Boyd's passing, and a card was signed by the members to be sent to his family.) Marv also commented on the reorganization of the Soundscape Office, noting that the terminology "Natural Sounds" may be renamed. He also reported on noise data collections in Hawaii.

Alan Steven, who arrived late, introduced himself and gave the NPOAG an update on the Congressional hearing (Senators McCain and Rockefeller) on the previous day on Grand Canyon and quiet technology. It was noted that the final rule for Overflights of National Parks is in the Administrator's office for signature, but probably a briefing will be required before it is issued.

Barry Brayer presented the brochure describing the ATMP process, and the group watched the video. The first part of the video explains the process to the public – the second part explains the role of the FAA inspector. Members of the NPOAG were given copies of the brochure and video. (Attachment 5)

Bill Withycombe, Regional Administrator, Western-Pacific Region, presented opening remarks. Bill congratulated the NPOAG on its continuing contributions on the work of the original NPOWG. He noted that the regulation has been delayed for 2 years, but noted that this interim period gave the FAA and NPS time to develop supporting materials – the implementation plan and business plan. He commented that the FAA has obligated \$8 M to the implementation of ATMPs, with an additional \$3M requested for 2003. FAA and NPS have agreed to look first at the two parks in Hawaii. There are still issues to be resolved, such as, which of the 3 sound measurement standards to use, and agreement on the memorandum of understanding for FAA and NPS.

Marv Jensen, speaking for Paul Hoffman, DOI, noted the emphasis that the NPOAG process has added to the concept of the Federal family working together. Marv noted that although NPS does not have budget dollars obligated for ATMPs, funds from other sources, such as entrance fees, will be available.

Steve May, FAA, presented the ATMP Program and Business Plan (attachment 6), which will be updated annually. Steve discussed that the FAA and NPS expect no delays in environmental development or funding (the expectation is that NPS will fund 40% and the FAA 60%). The website is complete and will go "live" after the publication of the final rule. Features of the website, such as a "hot link" to particular parks was discussed. Alan Stephen, Grand Canyon Airlines, suggested adding the Executive Order to the list of related documents. Steve and others clarified that comments on a particular ATMP,

once the proposal is published, will go into the DOT's Docket Management System (DMS) which receives comments on all proposed regulations. General comments on the ATMP process may be posted on the website: [www.atmp.faa.gov](http://www.atmp.faa.gov) The ATMP management team will monitor all comments on the website.

There followed a general discussion of noise. Chip Dennerlein, State of Alaska Fish and Game, commented that when we talk about "adverse impacts" we are really talking about noise. Susan Gunn, Wilderness Society, pointed out the wilderness areas deserve special consideration. Finally, Richard Deertrack expressed concern that Native American tribes need to be specifically drawn into engagement of the ATMP process. Chip suggested that the website should map out which parks have tribal lands adjacent to a park.

Members of the audience were also given the opportunity to comment: Dick Hingson, Sierra Club, congratulated the NPOAG on its work and found the experiences of the second day a good idea. He encouraged the group to choose a quiet place in the future, where it could experience 'power of place and deep silence.' John Alberti and Jim McCarthy also commented on the value of quiet. Rory Majenty, Hualapai tribe, noted that air tours are needed for economic development – that they give jobs to tribe members – yet recognized that areas of no flights, such as over traditional cultural properties, are also needed. Elling Halvorson commented that air tour operators and environmentalists must work together. Members of the NPOAG expressed that the Halvorsons and Papillon Helicopters are conservation oriented and have been pioneers in quiet technology development.

Paul Dykeman, FAA, gave an update on the quiet technology supplemental notice, noting that while the NPRM contained an A, B, and C proposal, the SNPRM has been narrowed to the C proposal. Because the SNPRM is still being reviewed by the Secretary's Office, its detailed contents could not be divulged.

Greg Fleming, VOLPE, presented an update on noise modeling and acoustics technical support provided by VOLPE. (Attachment 7) Greg explained the methodology of using the Fitchburg, MA, test site to provide source data for the INM noise model. This data will then be validated in two Hawaii parks: Hawaii Volcanoes and Haleakala. Greg anticipates that some of the noise validation data can be transferred to other parks. Marv Jensen commented that the FAA and NPS have made much progress in working together, but there are still some differences, such as the applicability of dose-response relationships. He noted that parks' General Management Plans vary from park to park, but they all identify management zones as having different needs.

In response to questions from the group, Dave Chevalier, Blue Hawaiian Helicopters, described typical operations in Hawaii – that each company follows approved, prescribed routes. Although most operators have GPS, the terrain is so familiar that points on the ground are used for navigation. The point was made that terrain, vegetation and native animals vary from place to place in Hawaii, and that these differences will influence the impact of noise on modeling.

Brian Armstrong, FAA, presented information on National Environmental Policy Act (NEPA) alternatives: the environmental assessment (EA), environmental impact statement (EIS), or programmatic EA or EIS. (Attachment 8) Members of the NPOAG discussed the advantages of each in terms of time to complete and costs. The NPOAG generally agreed that a programmatic EA or EIS would not work because they are too broad; environmental settings in parks vary greatly. Marv Jensen commented that whether you do an EA or EIS depends on the level of controversy. The NPOAG noted that both agencies must sign the environmental decision.

Brian also presented information on the National Historic Preservation Act, Section 106, which included a letter to the President, National Association of Tribal Historic Preservation Officers, which outlined the approach developed by NPS and FAA for complying with Section 106. (Attachment 9) The ATMPs constitute an ‘undertaking’ under the Act. Richard Deertrack noted that while the tribes have an obligation to participate, they are not set up to disseminate information. NPS and FAA will assist in getting information to the tribes. It was noted that States may participate as cooperating agencies.

Paul Valihura, VOLPE, presented a paper on the organization of VOLPE – the National Transportation Systems Center - and how it supports the ATMP process. Paul noted the extensive resources that VOLPE manages. (Attachment 10)

Marv Jensen and Barry Brayer both commented on the MOU, saying that although some differences remain on the issue of assessments effects, it is almost ready for signature.

Several members of the NPOAG commented on priorities for ATMPs. NPS provided a list, by Fiscal Year, beginning with the parks in Hawaii, followed by Bryce, Zion, and Glen Canyon – 54 parks altogether. (Attachment 11) It was noted that the list will not be finalized until all commercial air tour operators have reported under the 90-day requirement of the final rule.

Marv Jensen reported that the charter for the NPOAG is almost complete. There followed discussion on the FAA’s authority under legislation to set up advisory groups outside of FACA requirements. NPS, however, does not have the same legislative authority, so the charter is still needed.

A discussion on the next meeting of the NPOAG concluded the first day session. Although several locations and a longer meeting schedule were suggested, the consensus was that the co-chairs would determine the needs of the NPOAG based on the signing of the final rule and further progress on the implementation plan.

On the second day of the meeting, the NPOAG experienced a tour of Grand Canyon Airport and an air tour flight through the Dragon Corridor on Papillon helicopters. NPS provided a bus tour to South Rim locations, where the NPOAG observed both natural quiet and the sound of aircraft conducting air tours.